

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

Pablo C Torres,

Plaintiff,

v.

Continental Indemnity Group of Insurance
Companies et al,

Defendant.

CASE NO. 3:23-cv-06196-DGE

ORDER ON DISMISSAL

On February 1, 2024, the Court issued an order setting a schedule and instructing the parties to file a joint status report by May 1, 2024. (Dkt. No. 10.) This order required the Federal Rule of Civil Procedure 26(f) conference to occur no later than April 17, 2024. (*Id.* at 1.) Pursuant to Rule 26(f)(1)–(2), the “parties must confer” and “are jointly responsible for arranging the conference.”

It is unclear, however, whether Plaintiff received the Court’s February 1, 2024 order as it appears correspondence sent to Plaintiff was returned as undeliverable. (*See* Dkt. Nos. 7, 9, 11.)

1 As a result, on February 12, 2022, the Clerk of Court mailed additional copies of Dkt.
2 Nos. 4, 5, and 10 to Plaintiff using an address identified in the Notice of Removal. The Court
3 believes Plaintiff received this additional correspondence but is uncertain.

4 On April 15, 2024, an unknown individual using the email address
5 djchimolinseattle@gmail.com sent an email to the Court's courtroom deputy purportedly on
6 behalf of Plaintiff indicating Plaintiff was having difficulty receiving timely mail. (Dkt. No. 12.)
7 On May 1, 2024, the courtroom deputy received another email from this same email address.
8 This time Plaintiff purportedly was using this email to contact the Court. (*Id.*) However, neither
9 the April 15, 2024 nor May 1, 2024 email identified a mailing address for the Court to send
10 correspondence to Plaintiff. Plaintiff's mailing address and other contact information remain
11 uncertain.

12 The Parties did not comply with the Court February 1, 2024 order and on May 22, 2024
13 the Court ordered the Parties to show cause by June 15, 2024 why the Court should not dismiss
14 this matter without prejudice for want of prosecution. (Dkt. No. 13.) In the alternative, the
15 Court ordered the Parties to file a joint status report by June 15, 2024 as previously required by
16 the Court's February 1, 2024 order. (*Id.*) The Court also ordered Plaintiff to immediately notify
17 the Court of a correct mailing address and contact information. (*Id.*)

1 As of today's date, the Parties have not responded to the show cause order. The Parties
2 have not filed a joint status report. Plaintiff has not notified the Court of his correct mailing
3 address and contact information.

4 Accordingly, the Court DISMISSES the action without prejudice for want of prosecution.

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6 Dated this 18th day of June 2024.

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David G. Estudillo
United States District Judge
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